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**RESPONSE UNDER 37 C.F.R. § 1.116  
Expedited Examination Procedure  
Examining Group 2684**

PATENT  
ATTORNEY DOCKET NO.: 060301-5006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Hideki MIYOSHI et al.	)	Confirmation No. 9305
	)	
Application No.: 09/811,776	)	Group Art Unit: 2684
	)	
Filed: March 20, 2001	)	Examiner: Nick Corsaro
	)	
For: CELLULAR PHONE IN WHICH	)	
MEMORY IS REMOVABLY	)	
INSTALLABLE DUE TO	)	
REMOVABILITY OF BATTERY, AND	)	
BATTERY RECHARGER CAPABLE OF	)	
SUPPORTING DATA WRITE TO	)	
CELLULAR PHONE MEMORY	)	

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Window, **Mail Stop AF**  
Randolph Building  
Alexandria, VA 22314

Sir:

**AMENDMENT UNDER 37 C.F.R. § 1.116 TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment in response to the Final Office Action dated October 26, 2004, and pursuant to 37 C.F.R. §1.116.
2. Additional papers enclosed:
  - ☐ Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Prior Patent
  - ☐ Submission of Replacement Drawing Sheets
  - ☐ Information Disclosure Statement
  - ☐ Form PTO-1449, \_\_\_\_\_ references included

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: \$ 120.00.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	2	minus	20	0	x \$50 each=	+ \$0.00
Independent Claims (37 C.F.R. §1.16(b))	1	minus	7	0	x \$200 each=	+ \$0.00
[ ] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

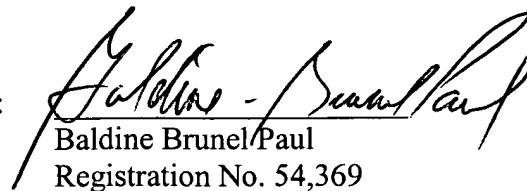
- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge the fee of **\$120.00** for the one-month extension of time to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: February 28, 2005

By:



Baldine Brunel/Paul  
Registration No. 54,369

Customer No. 09629

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